



Classified Service Sick Leave Policy

Definitions

The following terms are used in this policy.

| Term | Definition |
|------------------------------------|---|
| Sick Leave | Provide a reasonable measure of protection against loss of income because of illness or other disability up to a specified number of days (see individual bargaining Agreements) |
| Family Sick Leave | Illness or injury of an employee's family member up to the specified number of days per year (see individual bargaining Agreements). |
| Family Member | Any relative or relative in-law regardless of residence or any persons with whom an employee has been making their home. |
| Illness or Injury | Includes but is not limited to surgery, hospitalization, pregnancy, illness and other related conditions that disable an employee. |
| Bereavement | Leave to attend funeral or services due to the death of an employee's family member. |
| Satisfactory Medical Documentation | <p>The documentation must include the following:</p> <ul style="list-style-type: none"> • Physician's letterhead • Readable Physician's signature • Patients Name • Start and end date of disability • Certification that the employee is/was disabled from the performance of their job duties • Anticipated or actual return to work date • Indication that the employee is being released to return to work with or without restrictions (worker's compensation cases only) |

Basis for Policy

Sick leave is a benefit available to employees to provide protection from loss of income in the event of a personal or family illness, injury, or temporary disability. Employees will accrue sick leave as noted in the various bargaining agreements or according to State policy.

When an employee retires, a maximum of 200 days of sick leave is converted to a dollar figure. That money, then, is used by the New York State Department of Civil Service to help pay for the costs of health insurance after retirement for the employee and their spouse/domestic partner. Employees should make every effort to build the maximum sick leave accrual bank to insure that health insurance costs will be paid for in retirement and not deducted from the pension check.

Use of Sick Leave

Sick leave may be used for the following purposes:

- **Illness or Injury of the Employee:**
Sick leave may be used in ¼ hour increments. In the event of personal illness, employees must contact their supervisor by the start of their regularly scheduled shift unless satisfactory medical documentation for a long term absence has already been received. An employee must submit satisfactory medical documentation to Human Resources if they are to be absent for five consecutive days or more. Reasonable travel time and visits to the doctor, dentist or other health practitioners because of illness, emergency, routine examination or preventive care.
- **Family Sick leave:**
In order to use family sick leave, the employee's presence must be medically necessary for the employee to qualify to use sick leave. Although each classified service employee has a designated number of family sick days, the accrual will be deducted from the employee's sick leave accruals. Examples of appropriate use of family sick leave include providing direct care for an ill family member; accompanying a family member to a doctor's appointment either because the family member is unable to go alone or because the employee must be present as a responsible adult to receive the medical information concerning the family member's condition; being present with a spouse on the day of delivery of a child and to provide direct care following her release from the hospital; being present at the hospital during surgery or other medical emergency of a family member. You should discuss any questions about requests for family sick leave with Human Resources.
- **Bereavement:**
Sick leave for bereavement purposes may be properly used for the death of an employee's family member. It may not be used to attend the funeral of someone

other than a family member. Family sick accruals may be used with proper prior approval from employee's supervisor.

Improper Use of Sick Leave

Sick leave is not and may not be used as additional vacation or personal leave. It is not proper to use sick leave for vacation or for such personal chores as picking up medicine at a drug store, picking up glasses from an optician or delivering a hearing aid for repair. No medical services are being performed on such trips. Family sick leave is not appropriate to use when employees are absent to assume housekeeping duties normally performed by another family member because no direct care is being provided for the ill family member.

Notification and Authorization

Employees should seek authorization for planned medical leaves as soon as the employee is aware of the need for such leave. Leave of Absence forms may be found on the Human Resources website or obtained from Human Resources. Use of sick leave is subject to the approval of the supervisor, but authorization should not be unreasonably denied.

When required, employees must present satisfactory medical documentation from their physician to Human Resources. The documentation is at the employee's expense.

Worker's Compensation Cases Only (review specific bargaining unit Agreements):

Before an employee may return to work on limited duty, Human Resources must review the medical documentation and may require the employee to visit the State physician. If the employee cannot perform full duties, the medical documentation must state include:

- Patients Name
- Physicians Letterhead
- Physicians Readable Signature
- Specific limitation (for example, no lifting more than 5 pounds)
- Start and end date of limited duty
- Return to full duty date

It is the employee's responsibility to obtain appropriate and complete documentation from their physician.

Sick Leave Monitor / Watch Program

Human Resources will review the sick leave balances of all classified service employees on a bi-annual basis, usually in January and July. Human Resources and the employee's supervisor discuss an employee's situation when any of the following occur:

- A pattern of use of sick leave is apparent - i.e. - the use of sick leave on Mondays, Fridays, before or after pass days, etc.

- Calling in sick on a day for which requested time off, for this day, was previously denied and/or extending vacation leave with sick leave
- Changes in attendance patterns which indicate possible sick leave abuse, including but limited to low sick leave balances, using more sick leave than earned, a pattern of calling out on the same day, failure to submit proper medical documentation
- The supervisor suspects an attendance problem

If it is determined an employee may have a sick leave usage problem, the following may occur:

1. The supervisor may meet with the employee, informally, to discuss the facts and circumstances surrounding the employee's situation and, if appropriate, to discuss the problems that occur from the misuse of sick leave.
2. If the sick leave usage does not improve, the employee will be placed on the Monitor program. The supervisor and Human Resources will monitor the sick leave usage patterns for a period of 6 months with the expectation that the employee will improve.
3. If the employee does not improve on the Monitor program, the employee may be placed on the Watch program. A doctor's note will be required for all sick leave usage. Satisfactory medical documentation must be submitted to Human Resources within 24 hours of the absence. Failure to provide satisfactory medical documentation or failure to provide satisfactory medical documentation within 24 hours of the absence will result in the leave being considered unauthorized and may result in disciplinary action. The watch program will be implemented for a 6 month period and/or will follow the January and July review schedule. During the 6 month period, Human Resources and the employee's supervisor will monitor the employee's sick leave usage.
4. If the sick leave usage gets worse, and/or the sick leave usage is not corrected in the period specified in the counseling memo, Time & Attendance Disciplinary action will be taken according to the appropriate collective bargaining agreement.

Management reserves the right to require medical documentation when it is suspected that an employee may be attempting to use sick leave accruals for purposes other than which intended.

Please note, absences due solely to serious personal illness, qualified family illness surgery, worker's compensation, and maternity leaves will be exempt from the sick watch program.

Responsibilities

This policy identifies the following responsibilities as assigned to those cited below.

| Role | Individual/Group | Contact Information |
|-------------|-------------------------|----------------------------|
| Comply with | Classified Staff | n/a |

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|-----------------|-----------------|--------------|
| Policy Executor | Human Resources | 315-267-4816 |
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Change History:

| Date | Change History |
|------------------|------------------------|
| July 1, 2021 | Remove Addendum |
| June 22, 2020 | Addendum to the Policy |
| October 9, 2019 | Revision |
| March 11, 2019 | Revision |
| June 20, 2018 | Revision |
| January 29, 2010 | Revision |
| May 1, 1995 | New Policy |